

REMARKS

In the **non-final** Official Action of January 11, 2010 the Office noted that claims 1-3, 5-25 and 37-39 were pending and rejected claims 1-3, 5-25 and 37-39. In this amendment claims 1, 37 and 39 have been amended, no claims have been added and no claims have been canceled, and, thus, in view of the foregoing, claims 1-3, 5-25 and 37-39 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections are traversed below.

REJECTIONS under 35 U.S.C. § 103

Claims 1-3, 5-7, 10-12, 16-19, 24, 25 and 37-39 stand rejected under 35 U.S.C. § 103(a) as being obvious over Nishimura, U.S. Patent Publication No. 2006/0063570 in view of Hirayama EP 1 271 897 A2. The Applicants respectfully disagree and traverse the rejection with an argument and amendment.

The Applicants have amended claims 1, 27 and 39. For example, claim 1 has been amended to recite "a 2-axis hinge unit coupling the housings for folding and swinging movement of the upper housing relative to the lower housing about intersecting axes, one of which is arranged in the lower housing and the other of which is arranged in the upper housing; **and a position detection means for detecting relative positions between the upper housing and the lower housing**, wherein a top face of the one of the axes is exposed outside the terminal for viewing due

to arranging the one of the axes in the through cutting of the upper housing in all positions of the upper housing, and an information input device is mounted in the top face of one of the axes; the information input device is a pointing device, ***upon the position detection means detecting the housings being overlaid with the display unit facing outside, the control unit assigns a predetermined function to the information input device and the control unit enables an inputting operation of the information input device.***" (Emphasis added) Support for the amendment may be found, for example, in canceled claims 2, 3 and 10 as well as Fig. 7 and the supporting text of the Specification. The Applicants submit that no new matter is believed to have been added by the amendment of claims 1, 37 and 39.

The prior art of record fails to disclose upon the position detection means detecting the housings being overlaid with the display unit facing outside, the control unit assigns a predetermined function to the information input device and the control unit enables an inputting operation of the information input device.

For at least the reasons discussed above, Nishimura, and Hirayama, taken separately or in combination, fail to render obvious the features of claims 1, 37 and 39 and the claims dependent therefrom.

Claims 8 and 9 stand rejected under 35 U.S.C. § 103(a) as being obvious over Nishimura in view of Hirayama further in

view of Schmitt, U.S. Patent No. 6,088,585. The Applicants respectfully disagree and traverse the rejection with an argument.

Schmitt adds nothing to the combination of Nishimura and Hirayama as applied against the independent claims. Therefore, for at least the reasons discussed above, Nishimura, Hirayama and Schmitt, taken separately or in combination, fail to render obvious claims 8 and 9.

Claims 13-15 stand rejected under 35 U.S.C. § 103(a) as being obvious over Nishimura in view of Ikeda in view of Hirayama further in view of Kim, U.S. Patent No. 6,621,066. The Applicants respectfully disagree and traverse the rejection with an argument.

Kim adds nothing to the combination of Nishimura and Hirayama as applied against the independent claims. Therefore, for at least the reasons discussed above, Nishimura, Hirayama and Kim, taken separately or in combination, fail to render obvious claims 13-15.

Claims 20-22 stand rejected under 35 U.S.C. § 103(a) as being obvious over Nishimura in view of Hirayama further in view of Wada, U.S. Patent Publication No. 2003/0174240. The Applicants respectfully disagree and traverse the rejection with an argument.

Wada adds nothing to the combination of Nishimura and Hirayama as applied against the independent claims. Therefore,

for at least the reasons discussed above, Nishimura, Hirayama and Wada, taken separately or in combination, fail to render obvious claims 20-22.

Claim 23 stands rejected under 35 U.S.C. § 103(a) as being obvious over Nishimura in view of Hirayama in view of Wada and further in view of Schmitt. The Applicants respectfully disagree and traverse the rejection with an argument.

Wada and Schmitt add nothing to the combination of Nishimura and Hirayama as applied against the independent claims. Therefore, for at least the reasons discussed above, Nishimura, Hirayama, Wada and Schmitt, taken separately or in combination, fail to render obvious claim 23.

Withdrawal of the rejections is respectfully requested.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. §§ 112 and 103. It is also submitted that claims 1-3, 5-25 and 37-39 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional

fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

/James J. Livingston, Jr./

James J. Livingston, Jr.
Reg. No. 55,394
209 Madison St, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

JJL/dp/dm